

1 Fereshte Faustini,

2 NO. C 04-04548 JW

3 Plaintiff,

4 v.

5 Microsoft Corporation,

6 Defendant.

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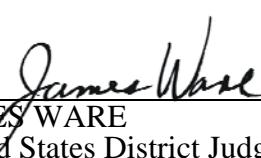
9 **ORDER SCHEDULING SETTLEMENT**  
10 **CONFERENCE AND PRELIMINARY**  
11 **PRETRIAL CONFERENCE**

12 \_\_\_\_\_ /  
13 On September 26, 2006, the Court received a letter from Defendant's counsel informing the  
14 Court that the parties have compromised and reached agreement with respect to the issues discussed  
15 with the Court at the June 2006 settlement conference. However, there is now a new issue that the  
16 parties have not been able to resolve. Defendant seeks the Court's assistance in resolving this final  
17 issue.

18 The parties currently have a Preliminary Pretrial Conference scheduled on October 16, 2006  
19 at 11 a.m. The Court vacates this conference and sets a further settlement conference on Tuesday,  
20 **October 31, 2006 at 10 a.m. - 12 noon.** The Court also sets a Preliminary Pretrial Conference on  
21 the same day; the parties shall be prepared to set trial in the event the case does not settle.

22 Accordingly, all parties with full settlement authority shall appear in the Courtroom of Judge  
23 James Ware, Courtroom 8, Fourth Floor, 280 South First Street, San Jose, California on **Tuesday,**  
24 **October 31, 2006 at 10 a.m.** for further settlement discussion or trial setting. Plaintiff's counsel is  
25 directed to bring Plaintiff to the conference.

26  
27 Dated: October 5, 2006

28  
JAMES WARE  
United States District Judge  


1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Kathleen O. Peterson [kathleen@prestongates.com](mailto:kathleen@prestongates.com)  
3 Melissa Ellen Lamfalusi [MelissaL@prestongates.com](mailto:MelissaL@prestongates.com)  
3 Robert M. Lubin [r1817@aol.com](mailto:r1817@aol.com)

4 **Dated: October 5, 2006**

5 **Richard W. Wieking, Clerk**

6 **By: /s/ JW Chambers**  
7 **Elizabeth Garcia**  
7 **Courtroom Deputy**